

REMARKS

The comments of the applicant below are each preceded by related comments of the examiner (in small, bold type).

Claims 3-5 and 7-18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The independent claims are directed to "A machine-based method", but each of the dependent claims 3-5 and 7-18 are directed to "the method". Conformance to the preambles of the independent claims is required. Claim 11 is also rejected for the vague and indefinite statement "sets aside interactions among the attributes".

The claims have been amended.

Claims 1-18 are rejected under 35 U.S.C. 102(b) as being anticipated by the report provided by applicant and authored by Bounsaythip et al., entitled *Overview of Data Mining for Customer Behavior Modeling*.

Bounsaythip et al. disclose:

Claims 1, 2 and 6: for a process in which a user generates a set of predictor attributes based on historical data about a customer relationship system being modeled [p. 7, sec. 2.4, see Modeling], enabling the user to automatically generate transformations of the predictor attributes of the data [p. 6, sec. 2.3.3, see Data Preparation], and automatically rank the performance of the predictor attributes [p. 9, sec. 2.4.3, see "identify the most discriminating data variables"], and using the results of the ranking of the performance of the predictor attributes for marketing communications to be made to customers, the customers being subject to the customer relationship system being modeled [p. 4, sec. 2.2, see "communicate with existing customers"].

Claims 3 and 7: ranking a set of predictor attributes with respect to their predictive power for a population of customers with respect to at least one target attribute [p. 4, sec. 2.2, see "the customer features that can be used for profiling, geographic, cultural and ethnic, etc.].

With regard to amended claim 1, Bounsaythip was not concerned with "impact of the first set of transformations on a predictive power of the predictor attributes", let alone "based on impact of the first set of transformations on a predictive power of the predictor attributes, enabling the user to determine whether to apply a second set of transformations to the predictor attributes to alter the impact on the predictive power".

With regard to amended claim 2, Bounsaythip did not describe and would not have made obvious "determining a significance in a difference between arithmetic means of key predictor variables associated with the respective segments". Bounsaythip neither described nor would have made obvious "arithmetic means of key predictor variables associated with the respective

segments", and of course could not have described or made obvious "determining a significance in a difference between arithmetic means". Further, Bounsaythip also did not describe and would not have made obvious "enabling the user to revise the generation of the predictive model based on the determined significance", because Bounsaythip neither determined the significance nor described revising "the generation of the predictive model".

With regard to amended claim 6, for similar reasons discussed with respect to amended claim 1, Bounsaythip did not describe and would not have made obvious "enabling the user to apply transformations to the predictor variables until significant interactions among the generated predictor variables are taken into account". In addition, Bounsaythip also did not describe and would not have made obvious "generating the final predictive model based on at least some of the series that are associated with one or more of the transformed predictor variables" because Bounsaythip had nothing to do with generating a final predictive model based on at least some of a series of predictive models, let alone those predictive models are associated with the transformed predictor variables for the final model.

All of the dependent claims are patentable for at least similar reasons as those for the claims on which they depend are patentable.

Canceled claims, if any, have been canceled without prejudice or disclaimer.

Any circumstance in which the applicant has (a) addressed certain comments of the examiner does not mean that the applicant concedes other comments of the examiner, (b) made arguments for the patentability of some claims does not mean that there are not other good reasons for patentability of those claims and other claims, or (c) amended or canceled a claim does not mean that the applicant concedes any of the examiner's positions with respect to that claim or other claims.

Applicant : Stephen K. Pinto et al.
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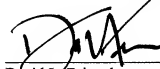
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Please apply \$245 for the Petition for Extension of Time fee and any other charges or credits to deposit account 06-1050, referencing attorney docket 17146-0009001.

Date: _____

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Respectfully submitted,



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